

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES O. BRADLEY TRUST, ET AL.,

Plaintiffs,

No. C 04-02239 JSW

v.

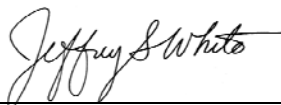
ZENITH CAPITAL LLC, ET AL.,

Defendants.

**ORDER RE MODEL JURY
INSTRUCTION 1.12**

As discussed at the pretrial conference on October 6, 2008, the Court HEREBY
ORDERS that the parties file a joint submission either stipulating to the use of the Ninth
Circuit's suggested model instruction 1.12 in the conduct of the jury or rejecting the use of such
instruction by no later than October 10, 2008.

Dated: October 7, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE